



Delegated Report

Variation of Condition Application

Planning Application No: 20240687

Location: Custom House, The Terrace Gravesend Kent

Description: Application for the variation of condition 2 attached to planning permission reference number 20210757 for the redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with external alterations and erection of a new three storey building to provide 27 residential units with associated landscaping and parking. To allow; for internal and external alterations to facilitate additional bedspaces to increase the number of bedrooms in the development.

Applicant: Mr Michael Keckes, Mile Property Group

Site Visit Date: For previous application refs. 20210757 & 20210758 & 30.01.2025

Submitted Documents/Plans

- Cover Letter;
- Application form;
- Drawing no. 025 Revision SK-E – Custom House Main Building 1 of 2 Proposed Plans;
- Drawing no. 026 Revision SK-F – Custom House Main Building 2 of 2 Proposed Plans;
- Drawing no. 028 Revision SK-G – Custom House Outbuildings Proposed Plans;
- Drawing no. 030 Revision SK-C – Unit 20 Workshop Proposed Plans;
- Drawing no. 031 Rev. SK-C – Units 21, 22, 23 & 24 The Boathouse Proposed Plans;
- Drawing no. 032 Revision SK-E – Units 26, 27 & 28 New Build Proposed Plans;
- Design & Access Statement, July 2024 Rev. A
- Heritage Statement, June 2024;
- Heritage and Conservation Strategy, July 2024;
- Schedule of Accommodation; and
- Suggested conditions in respect of the Port of London Authority.
- Fire Tender Tracking Drawing (no drawing no.)

Relevant Planning History

Reference	Description	Decision	Decision Date
20240563	Application for non-material amendment to planning permission reference number 20210757 to allow removal of reference to housing mix from application description.	Permitted	22.07.2024
20240449	Application for approval of condition 3 attached to planning permission reference number 20210757 relating to The Construction Environmental Management Plan (CEMP).	Approved	04.10.2024

20240443	Application for approval of condition 6 attached to planning permission reference number 20210757 relating to details of the measures which shall be undertaken to divert the public sewer(s) underneath the site.	Approved	16.08.2024
20240285	Application for approval of condition 4, 5, 7 and 8 attached to planning permission reference number 20210757 relating to a strategy to deal with the potential risks associated with any contamination of the site, particularly the workshop and boathouse (4), the implementation of a programme of archaeological work in accordance with a written specification and timetable (5), a detailed sustainable surface water drainage scheme (7) and a landscape management plan detailing how the shingle beach habitat and other envisaged ecological enhancements within the site will be maintained (8).	Approved	16.07.2024
20210758	Application for Listed Building Consent for the redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with internal and external alterations and erection of a new three storey building to provide 27 residential units (6 x 1 bed, 15 x 2 bed and 6 x 3 bed) with associated landscaping and parking.	Permitted	24.11.2023
20210757	Redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with external alterations and erection of a new three storey building to provide 27 residential units (6 x 1 bed, 15 x 2 bed and 6 x 3 bed) with associated landscaping and parking.	Permitted	24.11.2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS11 - Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- LT6 – Additional Open Space in New Housing Developments
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

Other material considerations

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

National Planning Policy Framework (2024)

- 2 – Achieving Sustainable Development
- 4 – Decision-making
- 5 – Delivering a sufficient supply of homes
- 6 – Building a strong and competitive economy
- 7 – Ensuring the vitality of town centres
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed places
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Riverside Conservation Area Character Appraisal (2009)
- Management Plan Gravesend Town Centre Conservation Areas (2009)
- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG3 - Archaeology in Historic Towns (July 2006)
- SPG 4 - KCC Parking Standards (2006);
- KCC Guide to Development Contributions and the Provision of Community Infrastructure (2007)
- Kent Design Guide

Consultations, Publicity and Representations

Consultees

Environment Agency

We have **no objections** as the proposed alterations are internal reconfigurations to the approved development.

GBC Environmental Protection – 29/08/2024

There is no objection to this application providing that conditions 3, 4, 16, 18, 26, 27 and 32 of 20210757 are still adhered to/followed in any changes made to the development.

GBC Environmental Protection – 17/02/2025

It's noted that since my last response dated 29th August 2024, that there has been various correspondence regarding windows being fixed shut in relation to noise from the port activities. Provided the existing condition number 18 (or a revised wording of) is attached to any variation, there is no objection to this. The condition wording should ensure that sound testing is undertaken and internal noise levels in all habitable rooms are in accordance with the noise levels given in BS8233:2014. It is recommended that compliance testing as per part b) of condition 18 is also re-instated.

All other conditions as advised in the response from August should also be re-attached.

GBC Leisure

Access to high quality open spaces and provision of opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Sport England outline that consideration should be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities.

Due to the constrained nature of this major development and residential amenity provision being included within the development, it would not be expected that the developer would provide all types of formal and informal leisure provision at site. However, it is reasonable to expect the applicant to offset the impact of its development on existing leisure facilities within the area.

The council's Open Space, Sport & Recreation Assessment, compiled by Knight Kavanagh & Page in 2016, highlights a particular shortage in the provision of 3G artificial pitches, junior/youth grass pitches and ancillary buildings, swimming pool lanes and an overall ageing leisure centre facility stock at Cygnet and Cascades Leisure Centres.

There is still a need for capital investment to play equipment across the borough with the total number of play sites less than compared with other areas. One area close to this particular development is the adjacent Riverside Leisure Area play area and the Adizone Outdoor Gym area, both which currently require investment.

Looking at the location of the proposed development within the borough, a financial contribution should be expected to go towards upgrading and improving existing leisure provisions, which include some of the sites referenced in this document.

Using the Sport England Sports Facility Calculator (SFC), and working on the assumption that approximately 68 residents may potentially reside within the new development (based on an average of 2.5 residents per residential dwelling), the SFC gives an indicative contribution figure of £33,919.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may

also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

KCC Biodiversity

We previously commented on application 20210757 and advised that the submitted ecological information was sufficient to determine the planning application.

We have reviewed the proposed amendments and we advise that we are satisfied that the ecological information is also valid for this application. We have taken this view as the previous surveys concluded that bats were unlikely to be roosting within the buildings. Therefore the two additional roof lights are proposed for the building previously known as the workshop are unlikely to impact roosting bats.

We do not require any further information to be submitted as part of this application.

KCC Heritage

I am happy that any changes to the scope of archaeological recording that might be raised by the variations proposed are covered by the existing conditioned programme of archaeological works. I would defer to your Conservation Officer in respect of the built heritage matters in this case.

Kent Fire & Rescue Service

I acknowledge this is a variation of condition 2 relating to planning permission; 20210757, which I can see my colleague previously consulted on back in 2022.

Upon reviewing the plans available on the Dartford planning portal, more specifically 'Proposed Landscaping Plan' 050; Rev B, I acknowledge the fire appliance turning area within the development site which appears acceptable. However, can your client please provide a swept path analysis plan demonstrating a fire appliance entering the site through the initial gated entrance, as turning into the gated pinch point area looks very narrow where the adjacent parking spaces are situated. Therefore, it is in my opinion, the emergency access requirements under the above act have not been fully demonstrated.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

KCC Flood & Water Management

We have no further comment to make on this proposal as it does not relate to SUDS.

Port of London Authority – 03/09/2024

Thank you for your email and letter received on 28th August 2024 concerning the proposed variation of condition (2) of planning permission 20210757. The variation seeks for internal and external alterations to facilitate additional bedspaces to increase the number of bedrooms in the development.

Having reviewed the application documents, the PLA objects to application 20240687.

The PLA commented extensively on application 20210757 including in relation to the issues associated with residential development located in such proximity to the PLA's car park. As part of application 20210757 specific mitigations were built into the scheme including the fixing shut of windows on the

elevation overlooking the PLA's site – see applicant's commitments in the attached document. Whilst this seems to have been replicated on drawing 032-SKD in relation to the new build the Design and Access Statement advises that windows will open:

Design and access statement - The New Build will be built against the western boundary brick wall that separates the application site from Port of London Authority land, currently used as a car park. There are 5 no. windows proposed on this elevation, all at first floor level. Each of these windows will be inward opening, with the two small bathroom windows being obscured glazing. The remaining three windows all belong to bedroom's and will provide improved security for the adjacent car park.

Boathouse - Four small additional openings on the rear elevation have been necessary to provide an openable windows to the bathrooms. These casement windows will all be obscured glazing to provide privacy to both the residents and to the users of the neighbouring LPA carpark.

The documents are also contradictory in terms of the use of the rooms. The attached document commits to the rooms being studies but the design and access statement and drawing refer/show them as bedrooms. With the increase in units proposed and whilst appreciating this is a town centre site, the Council needs to satisfy itself that there is sufficient car parking for the number of residential units proposed. Additionally, the Council should consider whether any changes are required to the top of the one way system/Royal Pier Road as a result of the proposed development. The junction (see image below) often results in people coming round the one way system, turning into Royal Pier Road and then turning right (some involving a three point turn first across the top of the junction) to then go down the area between the yellow lines and the hatched white area so that they can then travel down The Terrace with more people there will be more instances of this movement occurring.

Other previously agreed amendments have also been reversed e.g. in relation to the area by the gazebo. Previously (see attached document) the applicant committed to:

Please note the proposed site plan has now been amended and the reference to the "residential/recreational and communal " uses within the foreshore /Gazebo area removed as requested by the Port of London Authority and the LPA. The Gazebo will be refurbished as part of the works and the area in front of the flood wall will be solely for river related uses (ie non residential/recreational use).

But the design and access statement shows:



Port of London Authority – 07/02/2025

Thank you for your emails and letters received on 3 February regarding applications 20240687 and 20240686. Further information/clarification has been submitted for both applications relating to noise, including the fixing shut of windows and the scheme for testing internal noise levels. The Applicant liaised with the PLA prior to the submission of this information/clarification and I can therefore advise that the PLA has no objection to the submitted documentation and no further comments to make in relation to noise.

The application seeks the variation of condition 2 in relation to the list of approved plans. Whilst the PLA's comment (as set out in its email of 03/09/2024) in relation to the area by the gazebo does not appear to have been addressed, as the discrepancy was in the design and access statement it would appear to not be impacted by the variation of condition 2.

Southern Water

No objections.

No response from:

- GBC Waste
- GBC Housing Development & Strategy
- GBC Conservation Officer
- Thurrock Council
- Kent Police
- NHS
- Marine Management Organisation
- Kent Wildlife Trust
- Natural England
- Thames Defence Heritage
- National Grid
- KCC Education Area Schools Organisation Officer

Neighbouring properties

180 surrounding properties were consulted plus site and press notices – overall consultation expiry date of 27.09.2024 – 2 responses received (one neither objecting to or supporting and the other objecting), the comments can be summarised as follows:

- Asking how they get to see what comments have already been made;
- Objects to any building work that exceeds the present level (i.e. height) by the high wall at the rear of their property as this will reduce further the amount of day light they get at the rear of their property;
- Objects to any new windows that will directly overlook Heritage Quay, as this would reduce their privacy.
- They don't object to work that needs to be done to make the Custom House development habitable, but they should not be negatively impacted as mentioned above.

Officer Note – there is no increase in height or new windows overlooking Heritage Quay.

Officer's Analysis

Planning permission was granted for 'Redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with external alterations and erection of a new three storey building to provide 27 residential units (6 x 1 bed, 15 x 2 bed and 6 x 3 bed) with associated landscaping and parking' under application ref. 20210757 on 24 November 2023.

Listed Building Consent was granted for 'Listed Building Consent for the redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with internal and external alterations and

erection of a new three storey building to provide 27 residential units (6 x 1 bed, 15 x 2 bed and 6 x 3 bed) with associated landscaping and parking under application ref. 20210758 on 24 November 2023.

The applicant submitted an application for a non-material amendment to planning permission reference number 20210757 to allow removal of the reference to the housing mix from the application description. This was permitted on 22 July 2024 and the effect of this decision amended the description of the development of planning permission reference 20210757 to the following:

Redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with external alterations and erection of a new three storey building to provide 27 residential units with associated landscaping and parking.

With the reference to the housing mix now removed from the description the applicant has now submitted two applications for consideration – a variation of condition application to planning permission ref. 20210757 (which is subject of this application) and a new Listed Building Consent (which is the subject of application ref. 20240686) given that amendments cannot be made to a Listed Building Consent.

Planning permission ref. 20210757 was subject to a number of conditions, condition no. 2 states:

The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:

- *Application form;*
- *Drawing no. 001 - Site Block and Location;*
- *Drawing no. 002 - Existing Site and Roof Plan;*
- *Drawing no. 003 - Existing Site Lower and Upper Ground Plans;* • *Drawing no. 004 - Existing Site First and Second Floor Plans;*
- *Drawing no. 005 - Custom House Main Building 1 of 2 Existing Plans;* • *Drawing no. 006 - Custom House Main Building 2 of 2 Existing Plans;* • *Drawing no. 007 - Custom House Main Building Existing Elevations;*
- *Drawing no. 008 - Custom House Outbuildings Existing Plans;*
- *Drawing no. 009 - Custom House Outbuildings Existing Elevations;*
- *Drawing no. 010 - Workshop Existing Plans and Elevations;*
- *Drawing no. 011 - Boathouse Existing Plans and Elevations;*
- *Drawing no. 012 - Gazebo Existing Plans & Elevations;*
- *Drawing no. 013 - Existing Streetscenes;*
- *Drawing no. 014 - Existing Streetscenes;*
- *Drawing no. 015 - Existing Site Sections;*
- *Drawing no. 016 - Existing Site Sections;*
- *Drawing no. 020 Rev. F - Proposed Site and Roof Plan;*
- *Drawing no. 021 Rev. D - Proposed Site Lower and Upper Ground Plans;*
- *Drawing no. 022 Rev. C - Proposed Site First and Second Floor Plans;*
- *Drawing no. 023 Rev. B- Proposed Streetscenes;*
- *Drawing no. 024 Rev. B - Proposed Streetscenes;*
- *Drawing no. 025 Rev. B - Custom House Main Building 1 of 2 Proposed Plans;*
- *Drawing no. 026 Rev. B - Custom House Main Building 2 of 2 Proposed Plans;*
- *Drawing no. 027 Rev. A - Custom House Main House Proposed Elevations;*
- *Drawing no. 028 Rev. C - Custom House Outbuildings Proposed Plans;*
- *Drawing no. 029 Rev. B - Custom House Outbuildings Proposed Plans;*
- *Drawing no. 030 Rev. A - Unit 20 Workshop Proposed Plans;*
- *Drawing no. 031 Rev. A - Units 21, 22, 23 & 24 The Boathouse Proposed Plans;* • *Drawing no. 032 Rev. A - Units 26, 27 & 28 New Build Proposed Plans;*
- *Drawing no. 033 - Gazebo Proposed Plans and Elevations;*
- *Drawing no. 034 Rev. B - Proposed Site Sections;*
- *Drawing no. 037 - Section - Relationship to PLA New Build Proposed Plans;*

- Drawing no. 040 Rev. B - Demolition Lower and Upper Ground Plans;
- Drawing no. 041 Rev. B - Demolition First and Second Floor Plans;
- Drawing no. 050 Rev. B - Proposed Landscaping Plan;
- Drawing no. 071 - Cycle Storage Plan Semi-Vertical Storage;
- Drawing no. 072 Rev. B - Strategy Plans First and Second Floor Plans;
- Drawing no. 100 - Detail 01 - Typical New Window Detail;
- Drawing no. 101 - Detail 02 Typical New Rooflight Detail;
- Drawing no. 102 - Detail 03 Opening to be closed retaining door;
- Drawing no. 103 - Detail 03 - Shadow Gap Detail;
- Drawing no. 104 Rev. A - Detail 05 - Suspended Ceiling Detail;
- Drawing no. 105 - Detail 06 - Spine Wall Opening Detail;
- Drawing no. 107 - Detail 07 Bathroom Pod;
- Planning Statement September 2022;
- Design & Access Statement May 2021 by Turner, Jackson & Day;
- Heritage and Conservation Strategy May 2021 Rev. A by Turner Jackson & Day; • Heritage Statement September 2022 by Charles Wagner Heritage & Planning;
- Development Viability Report May 2023 by Bespoke Property Consultants;
- Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment February 2021; Ref. 3852/21 by R. Carr Geotechnical Services;
- Archaeological Desk Based Assessment March 2021 by Kent Archaeological Projects;
- Daylight and Sunlight Assessment June 2021 Rev. 2 by Herrington Consulting Limited
- Marketing Report Regarding Loss of B1 Office Space by Caxtons Chartered Surveyors;
- Marketing Report Appendix;
- Flood Risk Assessment and Drainage Strategy March 2023 Issue 7, Revision 6 by Herrington Consulting Limited; • Steel Sheet Piled Analysis;
- Response to EA objection - letter from Herrington Consulting dated 08/02/2023;
- Remedial Works Report Rev. P5 February 2023 by CTP Engineers.
- Preliminary Ecological Appraisal (PEA) February 2023 Rev. B by Native Ecology; • Bat Survey Report by Native Ecology Ref:1149_R02_REV A_Bat Survey Report; Rev. A.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The following conditions of application ref. 20210757 have been discharged:

- Condition 3 (Construction Environmental Management Plan (CEMP))
- Condition 4 (Contaminated Land Strategy)
- Condition 5 (Archaeology)
- Condition 6 (Public Sewer)
- Condition 7 (Sustainable Surface Water Drainage)
- Condition 8 (Land Management Plan – Shingle beach habitat and other envisaged ecological enhancements)

The relevant applications for these are:

- Application ref. 20240449 discharged condition 3 on 4 October 2024;
- Application ref. 20240443 discharged condition 6 on 16 August 2024; and
- Application ref. 20240285 discharged condition nos. 4, 5, 7 & 8 on 16 July 2024.

There are currently approval of condition applications pending consideration for discharge of condition nos:

- 9 (Scheme for Flood Defence);
- 10 (Monitoring and Maintenance of Flood Defence);
- 11 (Gazebo); &
- 14 (Details & Particulars)

The approval of details applications are:

20241023 - Application for approval of conditions 9, 10 and 11 attached to planning permission reference number 20210757 relating to a scheme for the design and construction of the proposed raised tidal flood defence, a long-term monitoring and maintenance plan for the flood defence structures and applying for as long as the development remains and The designing of the new flood defence wall subject to condition 9 shall consider the structural impact on the grade II listed gazebo as well as its access and use. This impact shall be demonstrated through the submission of a report.

20241119 – Application for the approval of conditions 14 attached to planning reference number 20210757 relating to joinery details of all new windows and doors including architraves/surrounds. Joinery details of all existing windows and doors to be repaired with a full schedule of the repair works for each window and door. Scaled drawings and details of the repair works to existing original features. Scaled drawings of all new internal and external joinery. Scaled drawings and details including a method statement of all fire protection and sound and thermal insulation measures. Scaled drawings and details of all new internal walls. Scaled drawings and details of all services including external pipework, vents and flues. Details of the repair works to the existing lead flashing and guttering including details of any new flashing and guttering. Details of all new flooring and repair of existing historic flooring. Scaled drawings and details of the new opening in the Old Boathouse. Method statement for the new openings in the spine wall including details of the proposed materials for the reveals of the openings. Scaled drawings and details of the repair works to the railings. Scaled drawings and details of the new vehicular gate. Scaled drawings and details of the repair works to the section of spine wall in connection with the demolition of the Workshop. Details of the repair works to the brick wall and timber gates in front of Custom House including details of the new pier. Details of all mortar mix and pointing finish; and Details of the location, design and appearance of the Historic Interpretation board(s).

This proposed variation of condition 2 is to allow for internal and external alterations to facilitate additional bedspaces to increase the number of bedrooms in the development. This involves proposing new internal walls in Custom House, the outbuildings, the workshop, the boathouse, the new building as well as the insertion of cupboards. There are also external alterations proposed in the form of additional rooflights with two extra rooflights proposed to the workshop and one extra rooflight proposed for the new terrace.

The number of units would remain the same (27) but the number of bedrooms in the development overall would increase. The number of consented bedrooms in application ref. 20210757 was 53 and the applicant is now proposing 65 bedrooms which would be an addition of 12 bedrooms.

Approval

In approved application ref. 20210757 the approval was for 27 units in the following ratios: -

- 1 beds - 7
- 2 beds - 14
- 3 beds – 6

Total units = 27

The bedrooms were divided as follows in the individual buildings on the site:

Outbuilding – 18 bedrooms
Custom House – 21 bedrooms
Workshop – 2 bedrooms

Boathouse – 6 bedrooms
New build – 6 bedrooms

Current Proposal (20240687)

In this current proposal the mix of units is proposed as follows:

- 1 beds - 7
- 2 beds - 9
- 3 beds – 4
- 4 beds – 6
- 5 beds - 1

Total units = 27

The bedrooms would be divided as follows in the individual buildings on the site:

Outbuilding – 22 bedrooms (increase of 4 bedrooms)
Custom House – 23 bedrooms (increase of 2 bedrooms)
Workshop – 3 bedrooms (increase of 1 bedroom)
Boathouse – 6 bedrooms (no increase in bedrooms)
New build – 11 bedrooms (increase of 5 bedrooms)

The principle issues in the assessment of this application are:

- Design, Character and Appearance including Heritage
- Amenity of Occupiers
- Neighbouring Amenity
- Parking and Highway Safety
- Others Matters

Design, Character and Appearance including Heritage

On the application site Custom House and the Gazebo are grade II listed buildings. As well as the main listed Custom House and Gazebo, the site also consists of a number of other buildings – the Coachhouse attached to the western side of Custom House, the Custom House outbuildings to the rear running down the eastern boundary of the site, the Workshop and Old Boathouse and the Boathouse which are considered curtilage listed to the main listed Custom House. The site is also situated in the Riverside Conservation Area and there are number of listed buildings within the vicinity – Milton Chantry, New Tavern Fort (also a Scheduled Ancient Monument), 42, 43, 44, 45, 46 & 47 The Terrace and Royal Terrace Pier.

The key consideration is whether the proposed changes would respect the architectural and historic interest of these listed and curtilage listed buildings and their setting, the setting of the surrounding listed buildings and whether the proposal would preserve or enhance the character and appearance of the Riverside Conservation Area.

Rooflights

Additional rooflights are proposed to the workshop and the new terrace.

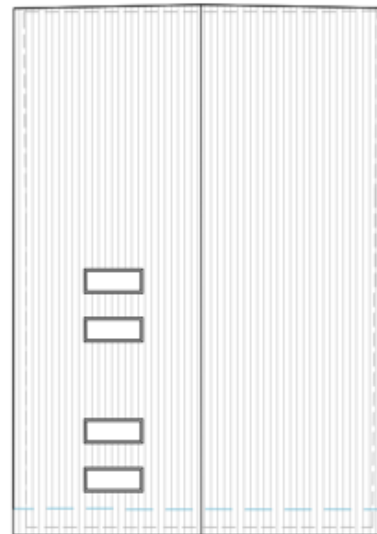
In the workshop there were four rooflights permitted in the left flank roofslope and the proposal is for an additional two rooflights to make six rooflights in total. In the new terrace there were three rooflights permitted in the rear roof slope and the proposal is for an additional rooflight to make four in total:

The approved and proposed left flank elevations and roof plans of the workshop are as follows:

Approved:

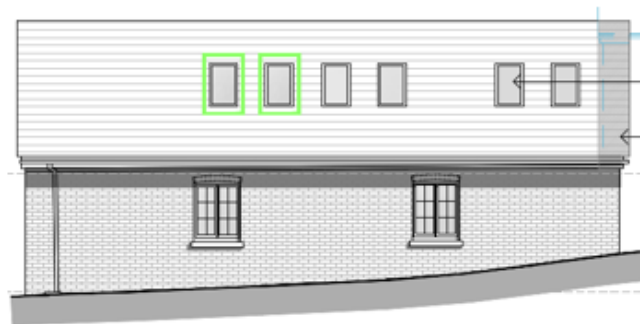


Left flank elevation



Roof plan

Proposed:



Left flank elevation



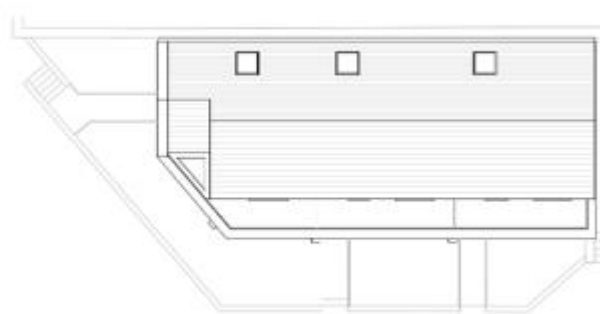
Roof plan

The approved and proposed rear elevations and roof plans for the new terrace are as follows:

Approved:



Rear elevation

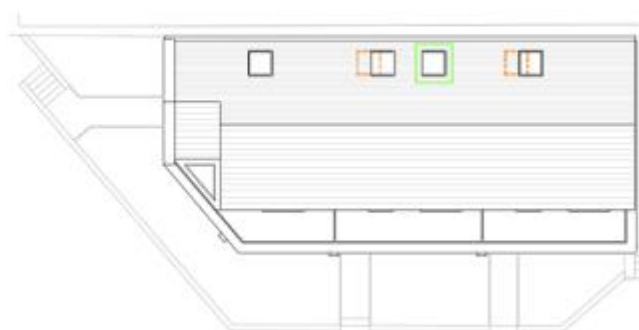


Proposed:



Rear elevation

Rooflights will be required and built as necessary as part of development



The two additional rooflights in the left flank roof slope of the workshop and the one additional rooflight proposed in the rear roof slope of the new terrace would be modest additions to the rooflights that have already been approved in those buildings and would be the same size. It is considered they would be acceptable in respect of design, character and appearance and would not cause any harm to the significance of the curtilage listed workshop building or the setting of the main listed Custom House.

Internal alterations within the buildings

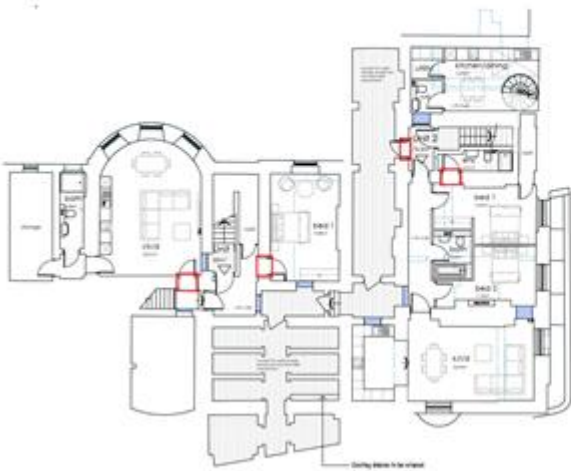
There are a number of internal alterations proposed in the form of internal walls to alter the layout of some units and also to form cupboards in Custom House, the outbuildings, the workshop, the boathouse and the new building.

Custom House which is grade II listed in its own right has much significance which is in part drawn from its plan form. It is classed as of high heritage significance in the Heritage Strategy.

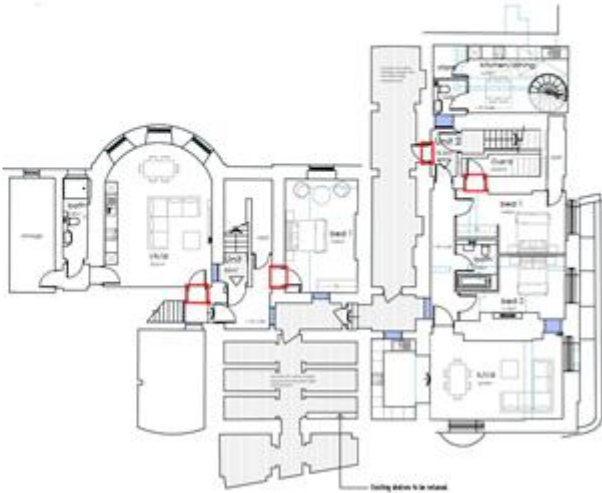
A comparison of the approved and proposed floor plans for Custom House is as follows:

Lower Ground Floor Plan

Approved



Proposed



Upper Ground Floor Plan

Approved

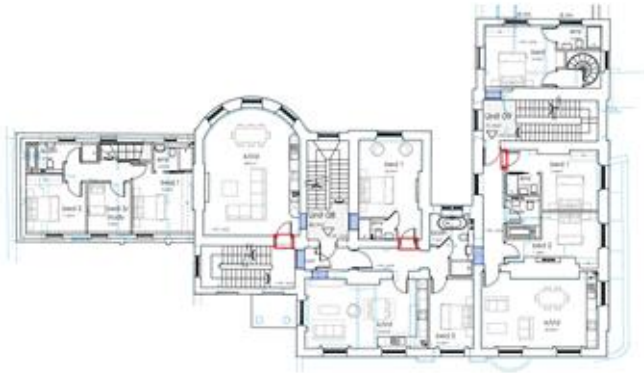


Proposed



First Floor Plan

Approved

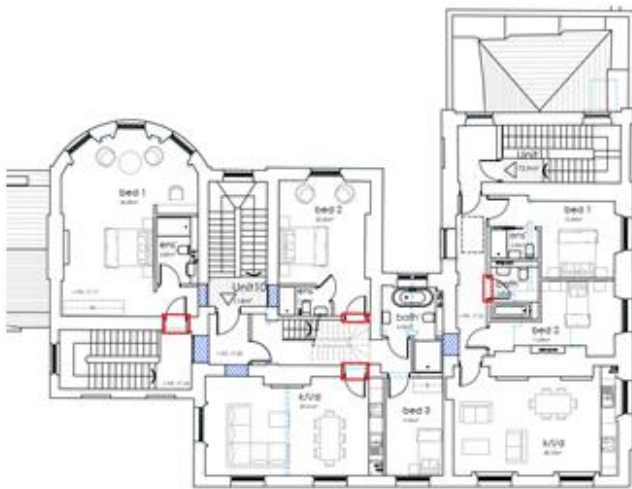


Proposed



Second Floor Plan

Approved

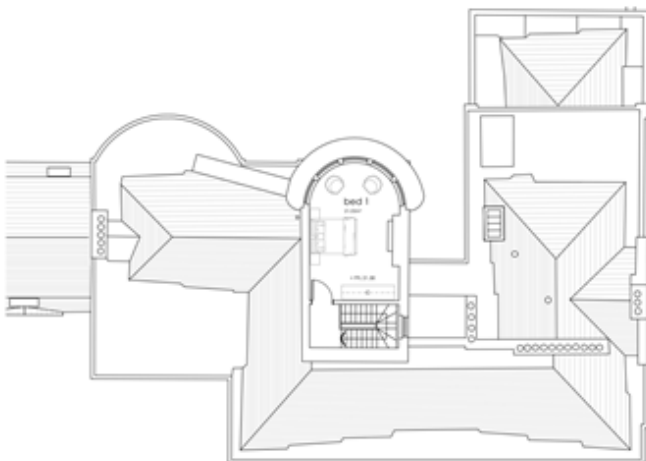


Proposed

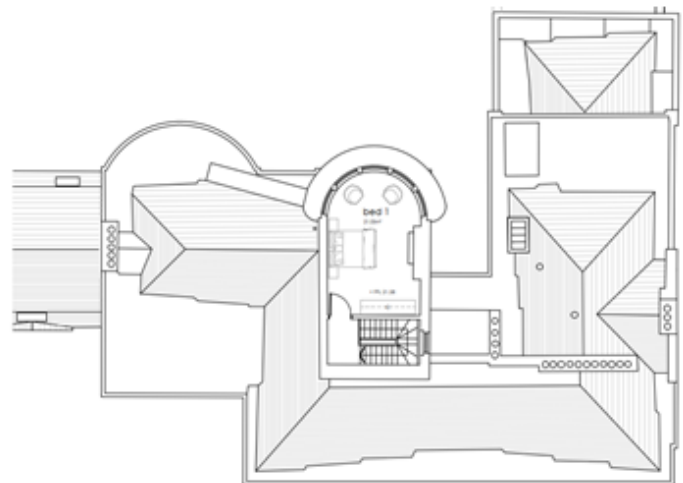


Third Floor Plan

Approved



Proposed



At basement level there are no changes proposed from what has been approved.

At upper ground floor level in unit 4 there would be new walls to create a cupboard in the hall. In unit 5 there would be new walls to create a cupboard in bedroom 2. In unit 6 there would be new walls to create a cupboard in the bedroom and a cupboard in the kitchen/living/dining room. In unit 7 there would be new walls to create two cupboards and a new wall already approved would be relocated slightly further north. Subject to detailing the material and method of attachment of the cupboards to ensure that they are a temporary and reversible feature it is considered that the proposed new walls and cupboards would be acceptable.

At first floor level in unit 4 which is part of the coach house the internal walls would all be slightly relocated however, this is acceptable as this is in the first floor extension which has been permitted to the coach house and so is not in historic fabric. In unit 8 there would be a new internal wall to create a cupboard in bedroom 1 and walls that have already been permitted to form an en-suite would be slightly relocated to create a larger bathroom. In bedroom 3 there would be new walls to create a cupboard and in the

combined kitchen/living/dining room there would be new walls to create a lobby area and relocation of an already approved wall slightly to the west. As the walls have already been approved in bedroom 1 and in the combined kitchen/living/dining room their slight relocation is considered acceptable and as above, subject to details of the cupboards it is considered they would be acceptable also.

At second floor level in unit 10 there would be new walls to create a cupboard in the hall and to create a cupboard in the bathroom where a shower was shown in the approval (a bath is proposed). In unit 11 there would be new slightly re-located walls to create a slightly enlarged bedroom 2 to change this from a single to a double bedroom and formation of a new cupboard in place of an en-suite in bedroom 1. As the wall in unit 11 was already approved in bedroom 2 its slight relocation would cause no harm and the new cupboards would be acceptable as above subject to details.

At third floor level there are no changes proposed compared to the approved scheme.

In respect of the main Custom House itself therefore the proposed internal alterations are considered acceptable and subject to details would not cause harm to the architectural and historic interest of this grade II listed building.

In respect of the other existing buildings on the site where there are internal alterations proposed - the outbuildings, the workshop and the boathouse – whilst curtilage listed they are not as sensitive to change as the main listed Custom House.

In respect of the outbuildings they are classified as medium to low heritage significance in the Heritage Strategy. In unit 12 there would be the installation of cupboards in bedrooms 2 and 3 at upper ground floor level and a slight relocation of an already approved wall to enlarge bedroom 4 to change it from a single to a double bedroom. In unit 13 there would be slight relocation of two already approved walls to change the approved bathroom at first floor level into bedroom 5. In unit 14 there would be new walls at first floor level to form a cupboard in bedroom 1. In unit 15 there would be new walls for the installation of a cupboard in the bathroom at upper ground floor level and at first floor level there would be the relocation of the approved internal walls to change the approved layout of a double bedroom, dressing and en-suite to two single bedrooms and a cupboard. In units 16, 17 & 18 there would be the installation of walls to create cupboards in the landings at upper ground floor level. In unit no. 19 there would be the installation of walls to create a cupboard at lower ground floor level in place of the approved study. The alterations again relate to the relocation of already approved walls and installation of cupboards same as for Custom House. The slight relocation of already approved walls would be acceptable and subject to details of the cupboards they would also be acceptable.

Within the workshop there would be alterations to the approved layout at first floor level. The first-floor level does not exist currently and would be formed in the building with the aid of rooflights. As the formation of the first floor is completely new, the re-ordering of the approved internal layout is considered acceptable. The increase in the amount of accommodation at first floor level is also acceptable as the two additional rooflights that are proposed in addition to the four already approved would be satisfactory in respect of character and appearance and the setting of the listed buildings on the site.

Within the Boathouse there would be the installation of new walls in unit 23 to form a cupboard under the stairs at lower ground floor level and within unit 24 at upper ground floor level to form a cupboard in bedroom 1. Subject to details the formation of the cupboards would be acceptable.

The proposed internal alterations to the new build terrace of three dwellings are considered to not cause any issues as it is a new build and not an historic building.

There are no changes proposed to the grade II listed Gazebo compared to the approved scheme.

Overall therefore, the proposed internal alterations are considered acceptable as they relate to the formation of a number of cupboards and re-location of internal walls that have already been approved. The re-location of already approved walls is therefore considered not to cause any harm to the architectural or

historic interest of the listed and curtilage listed buildings. Condition 14 of application ref. 20210757 already requests a number of other items including scaled drawings of all new internal walls so this condition would be needed again also. The formation of a number of cupboards is considered acceptable subject to agreeing the details of the cupboards and this would need to be conditioned should permission be forthcoming. Subject to conditions the proposed internal alterations are therefore considered acceptable.

In summary the proposed two additional rooflights to the workshop and the one additional rooflight to the new build and the internal alterations proposed to Custom House, the outbuildings, the workshop, the boathouse and the new building in the form of re-ordering of walls and formation of cupboards are considered acceptable. Subject to details as discussed above they would not have an adverse impact on the main grade II listed Custom House and Gazebo or the curtilage listed buildings on the site and their setting or the setting of the surrounding listed buildings and would preserve the character and appearance of the Riverside Conservation Area. In this respect the proposal would be compliant with Policies CS19 and CS20 (LPCS) and saved Policies TC2 and TC3 (LPFR).

Amenity of Occupiers

As stated the number of units overall would not be increasing which would remain at 27 but the number of bedrooms overall in the development would be increasing by 12 (increasing from 53 to 65).

In approved application ref. 20210757 the approved unit sizes were as follows:

<u>Unit No.</u>	<u>Area (Sq. m)</u>	<u>Minimum standard as set out in NDSS (2015)</u>
1 – 1B2P 1 storey (Custom House)	85	50
2 – 2B4P 1 storey (Custom House)	76.5	70
3 – 1B2P 3 storeys (Custom House)	71	No standard
4 – 3B5P 2 storeys (Custom House coach house)	104.5	93
5 – 2B4P 3 storeys (Custom House)	155.5	No standard
6 – 1B2P 1 storey (Custom House)	54.9	50
7 – 2B3P 1 storey (Custom House)	70	61
8 – 2B4P 1 storey (Custom House)	80.7	70
9 – 2B4P 1 storey (Custom House)	71.7	70
10 – 3B6P 2 storeys (Custom House)	114	102
11 – 2B3P 1 storey (Custom House)	73.9	61
12 – 3B5P 3 storeys (Outbuildings)	132	99
13 – 3B5P 3 storeys (Outbuildings)	99	99
14 – 3B5P 3 storeys (Outbuildings)	99	99
15 – 3B6P 3 storeys (Outbuildings)	110.9	108
16 – 1B2P 2 storeys (Outbuildings)	54 (undersized by 4 sq. m)	58
17 – 2B3P 2 storeys (Outbuildings)	68 (undersized by 2 sq. m)	70
18 – 1B2P 2 storeys (Outbuildings)	60	58
19 – 2B4P 2 storeys (Outbuildings)	90	79
20 – 2B3P 2 storeys (Workshop)	112.5	70
21 – 2B3P 2 storeys (Boathouse)	80.8	70
22 – 1B2P 2 storeys (Boathouse)	58.7	58
23 – 1B2P 2 storeys (Boathouse)	58.8	58
24 – 2B3P 2 storeys (Boathouse)	70.8	70
25 – 2B4P 3 storeys (New build)	105	No standard
26 – 2B4P 3 storeys (New build)	105	No standard
27 – 2B4P 3 storeys (New build)	106	No standard

As can be seen all units met or exceeded the minimum standard as set out in the Technical Housing

Standards – nationally described space standard (NDSS) (2015).

The unit and bedrooms sizes now proposed has therefore been measured and they would be as follows:

Unit No. (Those highlighted in purple have an increase in number of bedrooms/increase in bed spaces/change in size of bedrooms)	Area (sq. m) (Those highlighted in red are undersized)	Minimum standard as set out in NDSS (2015)
1 – 1B2P 1 storey (Custom House)	91.7	50
2 – 2B4P 1 storey (Custom House)	93.7	70
3 – 1B2P 3 storeys (Custom House)	70	No standard
4 – 4B5P 2 storeys (Custom House coach house)	97.7	97
5 – 2B4P 3 storeys (Custom House)	163.8	No standard
6 – 1B2P 1 storey (Custom House)	59.8	50
7 – 2B4P 1 storey (Custom House)	75	70
8 – 3B5P 1 storey (Custom House)	86	86
9 – 2B4P 1 storey (Custom House)	77.5	70
10 – 4B6P 2 storeys (Custom House)	117.6	106
11 – 2B4P 1 storey (Custom House)	80	70
12 – 4B8P 3 storeys (Outbuildings)	136	130
13 – 5B7P 3 storeys (Outbuildings)	130.5	125
14 – 3B5P 3 storeys (Outbuildings)	99	99
15 – 4B5P 3 storeys (Outbuildings)	109.1	103
16 – 1B 2P 2 storeys (Outbuildings)	54 (undersized by 4 sq. m)	58
17 – 2B3P 2 storeys (Outbuildings)	68 (undersized by 2 sq. m)	70
18 – 1B2P 2 storeys (Outbuildings)	60	58
19 – 2B4P 2 storeys (Outbuildings)	90	79
20 – 3B4P 2 storeys (Workshop)	113	84
21 – 2B3P 2 storeys (Boathouse)	80.8	70
22 – 1B2P 2 storeys (Boathouse)	58.7	58
23 – 1B2P 2 storeys (Boathouse)	59	58
24 – 2B3P 2 storeys (Boathouse)	71	70
25 – 4B5P 3 storeys (New build)	105	103
26 – 4B5P 3 storeys (New build)	105	103
27 – 3B5P 3 storeys (New build)	106	99

For the units for which there are minimum standards in the NDSS to apply, two of the units would be undersized according to the Technical Housing Standards (2015) – unit nos. 16 and 17 in the outbuildings but these were permitted in the approved scheme ref. 20210757, they are not part of the units where an increase in bedrooms or bedspaces is proposed.

Of the units where the number of bedrooms or bedspaces are being increased the bedrooms will be assessed. It should be noted that the single and double bedroom classifications set out below have been taken from whether there is a single or double bed shown in the bedrooms. The minimum single and double bedroom standards as set out in the NDSS (2015) are 7.5 sq. m for a single bedroom and 11.5 sq. m for a double bedroom.

Unit 4 – 4B5P 2 storeys (Custom House coach house)

As approved this was a 3 bedroom unit with 2 doubles and a single. A fourth bedroom has been created by making the bathroom smaller and having 2 single bedrooms in place of one of the doubles.

- Bedroom 1 (double) – 11.5 sq. m

- Bedroom 2 (single) – 7.6 sq. m
- Bedroom 3 (single) – 8.5 sq. m
- Bedroom 4 (single) – 8.8 sq. m

Unit 7 – 2B4P 1 storey (Custom House)

As approved this was a 2 bedroom unit with 1 double and 1 single, due to re-positioning of the proposed new wall the double has been increased in size and the single turned into a double.

- Bedroom 1 (double) – 13.7 sq. m
- Bedroom 2 (double) – 11.6 sq. m

Unit 8 – 3B5P 1 storey (Custom House)

As approved this was 2 bedroom unit with 2 doubles and would remain as such. Due to re-location of the proposed new walls and relocation of the bathroom, one of the doubles would be reduced in size, one would be increased in size and a new single bedroom would be created.

- Bedroom 1 (double) – 14.6 sq. m
- Bedroom 2 (double) – 11.5 sq. m
- Bedroom 3 (single) – 9 sq. m

Unit 10 – 4B6P 2 storeys (Custom House)

As approved this was a 3 bedroom unit with 2 doubles and 1 single and would remain as such. Due to a new cupboard the single bedroom would be slightly reduced in size.

- Bedroom 1 (double) – 21.05 sq. m
- Bedroom 2 (double) – 20.5 sq. m
- Bedroom 3 (single) – 9.2 sq. m

Unit 11 – 2B4P 1 storey (Custom House)

As approved this was a 2 bedroom unit with 1 double and 1 single bedroom. Due to relocation of new proposed walls, removal of the en-suite and a new cupboard the double bedroom would be slightly increased in size and the single bedroom would become a double bedroom.

- Bedroom 1 (double) - 14.1 sq. m
- Bedroom 2 (double) – 12.1 sq. m

Unit 12 – 4B8P 3 storeys (Outbuildings)

As approved this was a 3 bedroom unit with 2 double bedrooms and a single bedroom. Due to removal of second living room and re-location of proposed walls, a 4th bedroom has been added and the single bedroom would become a double bedroom.

- Bedroom 1 (double) – 15.2 sq. m
- Bedroom 2 (double) – 15.4 sq. m
- Bedroom 3 (double) – 12 sq. m
- Bedroom 4 (double) – 11.6 sq. m

Unit 13 – 5B7P 3 storeys (Outbuildings)

As approved this was a 3 bedroom unit with 2 double bedrooms and 1 single bedroom. Due to the removal of the second living room, relocation of the proposed walls and removal of the en-suite, 2 bedrooms would

be added.

- Bedroom 1 (double) – 16 sq. m
- Bedroom 2 (double) – 14.9 sq. m
- Bedroom 3 (single) – 12.6 sq. m
- Bedroom 4 (single) – 9.5 sq. m
- Bedroom 5 (single) – 8.2 sq. m

Unit 15 – 4B5P 3 storeys (Outbuildings)

As approved this was a 3 bedroom unit with 3 double bedrooms. Due to the removal of the dressing room and en-suite and re-location of proposed walls there would be an additional bedroom and one of the doubles would be changed to a single bedroom.

Bedroom 1 (double) – 13.1 sq. m

Bedroom 2 (single) – 11.8 sq. m

Bedroom 3 – (single) – 10.6 sq. m

Bedroom 4 – (single) – 9.5 sq. m

Unit 20 – 3B4P 2 storeys (Workshop)

As approved this was a 2 bedroom unit with 1 double and 1 single. Due to the proposed use of more of the roof space by virtue of the proposal for two rooflights there would be an additional bedroom.

Bedroom 1 (double) – 11.5 sq. m

Bedroom 2 (single) – 8.2 sq. m

Bedroom 3 (single) – 8.1 sq. m

It is important to clarify that these calculated floor areas for the three bedrooms at first floor level would not have a head height of less than 1.5m (the floor areas calculated would have a head height ranging from 1.5m to 2.1m); the areas that would be less than 1.5m has not been calculated.

Unit 25 – 4B5P 3 storeys (New build)

As approved this was a 2 bedroom unit with 2 double bedrooms. Due to the removal of the study and en-suite, a change of a double to a single and reduction in the size of the other double bedroom, there would be 2 additional bedrooms proposed.

Bedroom 1 (double) – 11.56 sq. m

Bedroom 2 (single) – 12.5 sq. m

Bedroom 3 (single) – 9.5 sq. m

Bedroom 4 (single) – 7.89 sq. m

Unit 26 – 4B5P 3 storeys (New build)

As approved this was a 2 bedroom unit with 2 double bedrooms. Due to the removal of the study and en-suite, a change of double to a single and a reduction in the size of the other double bedroom, there would be 2 additional bedrooms proposed.

Bedroom 1 (double) – 11.56 sq. m

Bedroom 2 (single) – 12.5 sq. m

Bedroom 3 (single) – 9.5 sq. m

Bedroom 4 (single) – 7.89 sq. m

Unit 27 – 3B5P 3 storeys (New build)

As approved this was a 2 bedroom unit with 2 double bedrooms. Due to the removal of the study and relocation of the proposed internal walls there would be 1 additional bedroom.

Bedroom 1 (double) – 17.3 sq. m

Bedroom 2 (double) – 13.1 sq. m

Bedroom 3 (single) – 11.8 sq. m

As can be seen all bedrooms would meet or exceed the minimum standards for single and double bedrooms as set out in the NDSS (2015).

In summary, all units would meet the minimum standards for unit sizes as set out in the Nationally Described Space Standards (NDSS) (2015) except unit nos. 16 & 17 in the 'Outbuildings' however, those two units were undersized the same amount in the approved scheme (this was considered acceptable given that the outbuildings are an existing element of the Custom House site and as unit 16 was undersized by 4sq. m and unit 17 was undersized by 2 sq. m this was not deemed a significant amount to warrant a refusal of the scheme).

In respect of bedrooms all single and double bedrooms would meet or exceed the minimum standards as set out in the NDSS (2015). It can be seen that the reason that the twelve additional bedrooms have been possible without making any more of the units undersized or any of the bedrooms undersized is due to a number of changes which include making bathrooms smaller, changing secondary double bedrooms to single bedrooms, re-positioning of internal walls, relocation of bathrooms, double bedrooms being reduced in size (whilst still meeting the minimum standards), removal of en-suites, removal of second living rooms, removal of dressing rooms, removal of studies and the utilisation of further space in the roof of the workshop through the proposed installation of roof lights.

Agent of change principle

The neighbour to the west is the Port of London Authority (PLA) which operate 24/7, 7 days a week.

The proposed internal changes mean that the rear rooms in the boathouse and the new build terrace that were previously approved as studies are now proposed to be bedrooms. There was concern at this not only on the amenity of future occupiers by having habitable rooms which could experience noise from the PLA site but also the impact on the PLA with regards the Agent of Change Principle and that future occupiers may raise complaints at noise from the PLA site.

The Port of London Authority (PLA) in their original comments on this application raised comments regarding the windows in the elevations of the new build and the Boathouse overlooking the PLA site and how in the approved application it was proposed that all windows overlooking the PLA site would be fixed shut and although that seems to be shown in the drawings for this current application for the new build, it doesn't for the Boathouse and the Design & Access Statement refers to the windows being open for the new build and the Boathouse. They also raised the issue of the use of the rooms with them being shown as studies in the D&A but bedrooms in the drawings.

The agent has had discussions with the PLA to go through their concerns. Revised plans for the boathouse and new build have been received. The plans are now marked up to show where noise testing would be undertaken prior to first occupation i.e the bedrooms at the rear of both buildings.

In the Boathouse this would be in the only bedroom to the rear of the building (Bedroom 1 in unit 21). In the new build terrace it would be in each of the bedrooms to the rear of the building at first and second floor in each of units 25, 26 & 27.

The agent has also written three suggested planning conditions in respect of noise - sound testing, fixed shut windows and notifying future occupiers of the PLA operations:

"First condition- sound testing:

Prior to first occupation of each affected dwelling as shown on drawings 032 SK-E or 032 SK-C, details of an internal noise survey shall be submitted to and approved in writing by the Local Planning Authority. Noise measurements shall be undertaken over a 5-day period including weekdays and weekends within proposed bedrooms (as marked with the green circle on drawing numbers 032 SK-E or 032 SK-C) to ensure that night-time internal noise levels meet the guideline values as presented within BS 8233:2014 and the WHO Guidelines (30 dB LAeq,8hr and 45 dB LMax,F no more than 10-15 per night).

In the event that specified internal noise levels are not achieved, additional noise attenuation measures shall be incorporated. Details of any additional mitigation shall be submitted to and approved in writing by the Local Planning Authority, and thereafter installed prior to first occupation and maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Second Condition- fixed shut windows:

The windows as shown on drawing numbers 032 SK-E and 032 SK-C as 'fixed shut' shall remain as such throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

In addition to these two conditions, we have also agreed with the PLA to somehow include the below in one of the conditions; or in the worst case adding an informative to the decision:

The landowner must notify any future occupiers (as part of the handover pack) of the operations at the PLA's site there are 24/7 and that vehicles have to reverse park into our car parking spaces"

The PLA were re-consulted on the revised plans for the boathouse and the new build and the suggested conditions and they advise that the PLA has no objection to the submitted information and have no further comments to make in relation to noise.

GBC Environmental Protection were also re-consulted in order to check if the suggested noise conditions were acceptable. In their original comments they had no objections providing conditions nos. 3, 4, 16, 18, 26, 27 and 32 of 20210757 are still adhered to/followed in any changes made to the development. On the revised and additional information they advise that they note there has been discussions regarding windows being fixed shut due to the noise from the PLA. GBC Environmental Protection advise that providing condition no. 18 (or a revised wording of) is attached to any variation, there is no objection to this. They state that the condition wording should ensure that sound testing is undertaken and internal noise levels in all habitable rooms are in accordance with the noise levels given in BS8233:2014 and they recommend that compliance testing as per part b) of condition 18 is also re-instated; they state that all other conditions as advised in their original response should also be re-attached.

Condition 18 is the main noise condition and would need to be re-attached should permission be forthcoming. The first suggested condition by the agent and as supported by the PLA is very similar to what is required in condition 18 but shall also be attached. The second suggested condition by the agent regarding which windows to be fixed shut and as supported by the PLA shall be included. The third item regarding future occupiers being notified of the PLA operations could be attached as an informative but could not be conditioned given the nature of the matter. It is therefore considered that subject to conditions the proposal would be acceptable in respect of occupier and amenity and the agent of change principle.

Overall it is considered that in respect of occupier amenity the proposed changes are acceptable and would be compliant with Policy CS19 (LPCS) with consideration to the Agent of Change Principle.

Neighbouring Amenity

The proposed amendments relate to two rooflights in the left side roof slope of the workshop in addition to the four already approved to serve bedroom 2 and one additional rooflight to the rear roofslope of the new build terrace in addition to the three already approved to serve bedroom 2 of unit 26.

Due to the nature of the rooflights there would be no overlooking or loss of privacy afforded to any

neighbouring properties.

The proposed internal alterations would not have any impact on the privacy or amenity of any neighbouring properties. (The agent of change principle in respect of the adjacent PLA site has been discussed in the occupier amenity section above.)

In respect of neighbouring amenity the proposal is considered compliant with Policy CS19 (LPCS).

Parking and Highways

The proposed amendments of rooflights and internal changes would not result in an increase in the number of units in the development which would remain at 27 but the overall number of bedrooms would increase from 53 to 65 which would be an addition of 12 bedrooms. The proposed amendments do not affect the proposed parking which is to be provided which would remain the same 15 parking spaces as shown in approved application ref. 20210757. It therefore needs to be considered whether the increase in 12 bedrooms would be acceptable with the 15 parking spaces to be provided or not.

When commenting on the original application ref. 20210757 the GBC Highways Officer advised that the application was borderline and that a highway ground of refusal would not be able to be upheld on appeal. Given the location of the site on the edge of the town centre and as the overall number of units has not increased it is considered the provision of 15 parking spaces may be acceptable. In terms of the type of units proposed there would be the same number of 1 bed units (7) and a reduced number of 2 bed units (14 in the approval and 9 as proposed) and 3 bed units (6 in the approval and 4 as proposed). In respect of 4 and 5 bed units none were previously proposed but now there are 6 four bed units and 1 five bed unit proposed.

There is concern at the larger sized accommodation being proposed with the 6 four bed units and the 1 five bed unit and no additional parking for unit sizes that would likely warrant more parking demand. However, the site is on the edge of the town centre as stated. Furthermore, to provide more car parking spaces on the site would mean the proposed green soft landscaped areas would have to be reduced. In approved application ref. 20210757 there were 22 car parking spaces originally proposed but the proposed provision was reduced to 15 as officers requested an increase in soft landscaping as the proposed site layout as originally submitted was dominated by car parking which was considered harmful to the setting of the listed and curtilage listed buildings on the site. To propose more parking spaces would reduce the soft landscaping and lead to a domination of parking areas again which was not considered acceptable in the original approval and is still not now. On balance therefore given the edge of town centre and the heritage matters in this case, it is considered that the 15 car parking spaces as approved would be acceptable parking provision still. In respect of parking and highway safety it is considered that subject to conditions the proposal would be compliant with Policy CS11 (LPCS) and saved Policy P3 (LPFR).

Other Matters

Flood Risk

The site is located in Flood Zone 3A and as such is at a high risk of flooding. A Flood Risk Assessment and Drainage Strategy, Steel Sheet Piled Analysis, response to Environment Agency (EA) objection and a Remedial Works Report were submitted by the applicant and considered by the EA in the original application. There was a continued objection to the proposal by the EA but upon the applicant agreeing to replace the existing wall with a new flood defence wall the EA removed their objection subject to a number of conditions. Subject to these conditions it was therefore considered the proposal would be compliant with Policy CS18 (LPCS). In this application the EA have been consulted and they have advised that they have no objections as the proposed alterations are internal reconfigurations to the approved development. As such, subject to the flooding conditions being attached again as requested by the EA then it is considered that the proposal is acceptable in respect of flooding and compliant with Policy CS18 (LPCS). It should be noted that although the applicant has applied for discharge of condition nos. 9, 10 & 11 of application ref.

20210757 which relate to flooding, under application ref. 20241023, this application has not been discharged as yet and so condition nos. would need to be attached again should permission be forthcoming.

Surface Water Drainage

In original application ref. 20210757 A Flood Risk Assessment and Drainage Strategy March 2023 Issue 7, Revision 6 by Herrington Consulting Limited was submitted. KCC Flood & Water Management raised no objections subject to conditions to request a detailed sustainable surface water drainage scheme and a Verification Report which were included in the permission. In this application KCC Flood & Water Management advise that they have no further comment to make on this proposal as it does not relate to SUDS.

The condition relating to a detailed drainage scheme (condition 7) has been discharged (this was under application ref. 20240285 on 16 July 2024) and therefore that condition will not need to be re-attached if permission was forthcoming but an informative would need to be added to advise that the development would have to be carried out in accordance with those approved details. The condition relating to a Verification Report (condition 19) has not been discharged so would need to be re-attached.

Therefore, subject to this it is considered the proposal is acceptable in respect of surface water drainage and compliant with Policy CS18 (LPCS).

Open Space

In original application ref. 20210757 there was external amenity space provided within the site – the existing landscaped area to the north of Custom House is to be retained and a new central green space on the site of the demolished workshop. A very short walk to the east is the Riverside Leisure Area (it is some 18 metres from the application site to the entrance to Fort Gardens).

Taking into account the development's location within Gravesend Town Centre and the need and deficiencies on the ground and the physical constraints on site, it was considered there was a need to make a financial contribution towards upgrading and improving existing open spaces and leisure provision. A contribution of £30,545 was requested. The agent stated they would not be able to provide all of the financial obligations required, including leisure, but agreed to pay a contribution to leisure provision of £30,000 which was requested by way of a s106 agreement.

In this application GBC Leisure advise on the basis that 68 residents may reside within the new development (based on an average of 2.5 residents per residential dwelling), the Sport England Sports Facility Calculator (SFC) gives an indicative contribution figure of £33,919.

Given the previous matters with viability in application ref. 20210757 it is considered the agreement of £30,000 towards leisure provision in the Borough is still acceptable and no increase in this payment is required. It is noted that this payment was made on 30 October 2024, if permission is forthcoming an informative would therefore be required to state that the leisure contribution was paid on 30 October 2024.

Ecology & Biodiversity

Originally the Environment Agency (EA) objected to the proposal in respect of the matters of 'fisheries, biodiversity and geomorphology' but with the submission of a Preliminary Ecological Appraisal (PEA) and subject to a planning condition being attached to request a landscape management plan detailing how the shingle beech habitat and other envisaged ecological enhancements within the site will be maintained then they could withdraw their objection. This was condition no. 8 of application ref. 20210757 and it was discharged on 16 July 2024 under approval of conditions application ref. 20240285 so would not need to be attached again if approval was to be forthcoming.

With the submission of the PEA and a Bat Survey Report, KCC Biodiversity advised that they were satisfied

with the conclusions of both reports. They stated that the recommendations for enhancing the site for bats by including bat roosting features within the building were appropriate and must be implemented if permission was granted and to that end they recommended that integrated bat roosting features is a requirement of a construction and management plan condition. KCC Biodiversity also stated that they were satisfied that impacts on other species can be avoided through a precautionary mitigation approach and to this end they recommend that the details of the precautionary mitigation are a requirement of a construction and management plan also.

For this current application KCC Biodiversity have confirmed that they are satisfied that the ecological information submitted with the original application is also valid for this application. They advise that they have taken that view as the previous surveys concluded that bats were unlikely to be roosting within the buildings and therefore the two additional roof lights proposed for the building previously known as the workshop are unlikely to impact roosting bats. They advised that they do not require any additional information to be submitted.

Condition 3 of original application ref. 20210757 requested a Construction Environmental Management Plan (CEMP) which included details of bat roosting features and precautionary mitigation were included in this and this condition was discharged on 04 October 2024 under application ref. 20240449 and so would not need to be attached again if approval was to be forthcoming.

Strategic Access Management and Monitoring Scheme (SAMMS)

The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA). With the net addition of 27 units on the site the required tariff of £8,479.35 (£314.05 being the figure at the time x 27) was agreed and requested by a s106 agreement. This SAMMS tariff was paid on 17/09/2024 and with there being no increase in the number of units on the site there is no additional SAMMS payment required.

Overall therefore subject to the development being carried out in accordance with the already approved condition details regarding the landscape management plan for the shingle beech habitat, other envisaged ecological enhancements, bat roosting features, precautionary mitigation for other species and the landscaping scheme being implemented then the proposal would be acceptable in respect of ecology and biodiversity and therefore compliant with Policy CS12 (LPCS) and paragraphs 193 & 194 of the NPPF (2024).

Land Contamination

In original application ref. 20210757 a Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment February 2021 Ref. 3852/21 by R. Carr Geotechnical Services was submitted. GBC Environmental Protection advised that this report concluded that the site is or low to moderate risk and that intrusive investigations should be undertaken and that an asbestos survey should be undertaken following the removal of any ACMs. GBC Environmental Protection were satisfied with this approach and recommended a condition to request a contaminated land assessment and any associated remedial strategy if necessary. The EA also recommended a land contamination condition. The EA's condition was ultimately used in the permission as the Environment Agency were clear that they required the conditions that they were stating to be attached, had to be attached. GBC Environmental Protection advised that they had reviewed both their land contamination condition and the Environment Agency's land contamination condition and they had no objection to the Environment Agency's condition being used. The land contamination condition was no. 4 of approved application ref. 20210757 and this was discharged on 16 July 2024 under application ref. 20240285 so would not need to be attached again if approval was to be forthcoming. Condition 16 was a verification report for the approved remediation strategy (subject to condition 4) which would need to be re-attached as this has not been discharged.

Archaeology

The site is located within an Area of Archaeological Potential. An Archaeological Desk Based Assessment

March 2021 by Kent Archaeological Projects was submitted with original application ref. 20210757. KCC Archaeology advised that the site has significant potential for below ground archaeological remains in particular the line of the Milton Blockhouse which extended through the site. They advised that the Archaeological Desk Based Assessment was very limited, had not made use of historic mapping or local research and failed to address the issue of the Milton Blockhouse. The proposal would impact on below ground archaeological potential and as such an archaeological condition was attached. For this application KCC Heritage have advised that they are happy that any changes to the scope of archaeological recording that might be raised by the variations proposed are covered by the existing conditioned programme of archaeological works. The archaeological condition attached to original application ref. 20210757 was condition no. 5 and this was discharged on 16 July 2024 under application ref. 20240285 so would not need to be attached if permission were forthcoming but an informative would need to be added to advise that the development would have to be carried out in accordance with those approved details.

Refuse Storage

The bin store is to be located in the south-west corner of the site near its entrance. GBC Waste advised in the original application that they were satisfied with the location of the refuse store particularly with the access door opening out onto the driveway. Details of the number and size of bins required are given but full details of the bin storage was considered necessary and this was secured by condition 28. If permission were to be forthcoming then this condition would need to be attached again as it has not been discharged. Subject to this the proposal would be compliant with Policy CS19 (LPCS).

Planning Obligations

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism that the Council often use to secure financial contributions or other forms of mitigation such as affordable housing from developers in order to make a development proposal acceptable in planning terms.

In order for the Local Planning Authority to request financial contributions on behalf of third parties any contributions will need to meet all of the tests relating to paragraph 56 of the NPPF (2024) which are as follows:

- (A) necessary to make the development acceptable in planning terms; (B) directly related to the development;
- (C) fairly and reasonably related in scale and kind to the development.

Affordable Housing & Viability

Policy CS16 (LPCS) states that the provision of affordable housing will be required on all new housing developments of 15 dwellings or more or on sites of 0.5 hectares or more in the urban area at 30% in the urban area. It is stated that development will be subject to site viability and a tenure mix necessary to meet local needs and achieve a successful sustainable and socially inclusive development.

In original application ref. 20210757 no affordable housing was provided and was purely a market housing development. An updated viability report (May 2023) was submitted as part of the planning application which stated that the proposal would be unviable should affordable housing be provided. The applicant's Viability Report was reviewed for the Council by BPS surveyors. BPS found that the scheme would potentially generate a surplus, however the level of surplus to be generated was unclear. Having reviewed these findings, the applicant taking into account the risks involved and the level of profit generated, made a conditional £30,000 offer to contribute towards any requested S106 contributions. This was secured by the s106 agreement and this figure was paid on 30/10/2024.

In this application it is stated in the covering letter that the owner has been subsequently approached by a charitable organisation, Pinnock's Charity, who wish to purchase the site and use the property as almshouses providing 27 affordable family homes mainly for people coming from GBC's own housing

register. There would be a mix of unit types in the form of:

- 1 bed - 7
- 2 beds - 9
- 3 beds – 4
- 4 beds – 6
- 5 beds - 1

The proposal is now therefore for 100% affordable housing with a varied mix and the proposal is therefore in compliance with Policy CS16 (LPCS).

Kent County Council

In original application ref. 20210757 a number of contributions were requested by KCC including:

- Secondary education towards the Mayfield Grammar expansion;
- Community learning for additional resources for the Adult Education Centre “Victoria Centre”, Darnley Road, Gravesend;
- Youth service for additional resources for Northfleet Youth Centre, Hall Road, Northfleet;
- Libraries towards additional services, resources and stock for new borrowers at Gravesend Library, Windmill Street, Gravesend;
- Social care towards Age UK Fleming Resource Centre, Clarence Row, Gravesend; and
- Waste towards new Waste Transfer Services (WTS) and capacity works to Pepper Hill Household Waste Recycling Centre (HWRC).

Given the viability matters in the original application ref. 20210757 as explained above, contributions were not requested for any KCC obligations in that application and that is therefore still the case with this application.

Sports & Leisure (GBC)

This has been discussed in the Open Space section of this report above.

SAMMS Contribution

The tariff required has been discussed in the ‘Ecology & Biodiversity’ section of this report above.

Fire Safety

The agent submitted a Fire Tender Tracking drawing which shows sufficient turning for a fire vehicle on site.

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposed variation of condition 2 of ref. 20210757 is to allow for internal and external alterations to facilitate additional bedspaces to increase the number of bedrooms in the development; this involves proposing alterations to the internal layout in Custom House, the outbuildings, the workshop, boathouse, new building as well as the insertion of cupboards. There are also external alterations proposed in the form of additional rooflights with two extra rooflights proposed to the workshop and one extra rooflight proposed for the new terrace. Subject to requesting details of the cupboards and all other conditions being re-attached (where they have not been discharged) then the proposal is considered acceptable in respect of design, character and appearance including heritage, future occupier and neighbouring amenity, parking and highway safety, flood risk, surface water drainage, open space, ecology and biodiversity, land

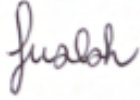
contamination and archaeology and therefore compliant with local and national planning policy.
All of the pre-commencement conditions of ref. 20210757 have been discharged so would not need to be applied again.

Condition nos. 9, 10, 11 & 14 will need to be re-attached again as although approval of details applications have been submitted and are pending consideration these conditions have not as yet been formally discharged. All other remaining conditions will need to be re-attached.

A variation of the s106 agreement is not required as the payments required i.e. for GBC Leisure and SAMMS have already been paid.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	4 March 2025	Dated:	05 March 2025